REMARKS / DISCUSSION OF ISSUES

In the non-final Office action dated June 19, 2009, claims 1-37 are pending in the application. By this response, claim 37 have been amended to independent form, therefore, claims 1, 35, and 37 are independent.

Also by this response, claims 1-33 and 35-37 are amended for non-statutory reasons, for example, to remove numbers in parenthesis. Claim 34 has been canceled. No new subject matter is added.

Objections to the Claims

The Office action objects to claims 1-37 because of informalities, for example the claims comprise numbers in parenthesis. Claims 1-33 and 35-37 have been amended as per the Examiner's suggestions. No new subject matter is added. Claim 34 has been canceled. As such, the Applicants respectfully request the withdrawal of the objections to claims 1-37.

35 U.S.C. § 101

Claims 34 and 37 stand rejected under 35 U.S.C. § 101, allegedly because the claimed invention is directed to non-statutory subject matter. The Office action alleges that claims 34 and 37 are indefinite based on the theory that the claims overlap two different statutory classes.

Claim 37 have been amended to independent form to clarify certain aspects of the Applicants' claimed invention. Claim 37 is clearly directed to a wireless device. As such, claim 37 does not overlap two different statutory classes. Claim 34 has been canceled. Accordingly, the Applicants respectfully request the withdrawal of the rejection to claims 34 and 37 under 35 U.S.C. § 101.

35 U.S.C. § 112

Claims 34 and 37 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. The Office action uses substantially the same arguments as set forth with regard to the rejections under 35 U.S.C. 101. The Applicants essentially repeat the above arguments from 35 U.S.C. 101 and apply

them to the claim rejections under 35 U.S.C. 112. Therefore, the rejections to claims 34 and 37 under 35 U.S.C. 112, second paragraph should be withdrawn.

35 U.S.C. § 102

Claims 1-4, 7-9, 11-15, 18, 19, 25, 27-35, and 37 stand rejected under U.S.C. § 102(e) as allegedly being anticipated by U.S. Publication No. 2006/0040701 to Long et al. (hereinafter referred to as "Long"). The Applicants respectfully submit that for at least the following reasons, Long does not anticipate claims 1-4, 7-9, 11-15, 18, 19, 25, 27-33, 35, and 37.

Long apparently claims priority to provisional application number 60/602,823, filed on Aug. 18, 2004. However, the present application claims priority to provisional application number 60/542,529, filed on Feb. 6, 2004 (hereinafter referred to as "Provisional Application"). The Provisional Application, which was filed prior to Long's earliest priority date, fully supports independent claims 1, 35, and 37 of the present application as follows.

The Applicants' claim 1 is directed towards a method of decentralized medium access control in a communications network including a plurality of devices, comprising:

dividing time into a sequence of at least one superframe; and a first device of said plurality of devices transmitting in the superframe at a target beacon transmission time (TBTT) a beacon frame that includes a reservation for a planned transmission by a sender device during the superframe.

Support for the Applicants' claim 1 is located throughout the Provisional application and at least at claim 1 ("A method of decentralized medium access control in a communications network consisting of a plurality of station."), Section 2.1 ("The time is divided into superframes, as shown in Figure 1."), and Figure 1 (a sender sends reservation request and a receiver responds with reservation request during a superframe.).

Because the Applicants' claim 1 is fully supported by the Provisional Application, and because the Provisional Application was filed prior to Long's

earliest priority date, Long does not anticipate claim 1. As such, this rejection should be withdrawn.

Claim 34 has been canceled. Thus, this rejection should be withdrawn.

Claim 35 includes the features of a distributed reservation processing module to manage beacon slot occupancy and data transmission phase reservations; format a beacon frame for transmission in the at least one beacon slot, such that the beacon frame includes a reservation of the medium by the device for data transmission during the data transmission phase, and format a beacon frame for transmission in the at least one beacon slot that responds to reservations received over the medium.

Support for the above-recited features of the Applicants' claim 35 is located throughout the Provisional application and at least at section 2.3 ("The 'beacon position occupancy' information element contains a list of received beacons of other devices. Each element in the beacon position occupancy field shall contain the number of the beacon (position), a short device ID of the device, which has sent the beacon, as well as the duration of the beacon in symbols (multiples of 312.5 ns) (see Figure 3)."). 2.2 ("The protocol allows for a dynamic reservation of transmissions in every superframe."), and Figure 4 and section 2.3 ("The 'Tx/Rx bit' shall be set to '0,' if the device is sender of the planned transmission and set to '1,' if the device is a receiver of the planned transmission.").

Since the Applicants' claim 35 is fully supported by the Provisional Application, and because the Provisional Application was filed prior to Long's earliest priority date, Long does not anticipate claim 35. Therefore, this rejection should be withdrawn.

The Applicants' claim 37 includes the features of a distributed reservation protocol (DRP) bitmap, and a memory including a DRP reservation table, said processor to perform the decentralized medium access control method of claim 1 using the distributed reservation processing module, the DRP bitmap, and the DRP reservation table.

Support for the above-recited features of the Applicants' claim 37 is located throughout the Provisional application and at least at section 2.2 ("The protocol

allows for a dynamic reservation of transmissions in every superframe."), Figures 2, 3, and 4 (illustrating distrubited reservation protocol bitmaps), and claim 9 ("devices maintain a table of all planned reservations that they have received or sent.").

Because claim 37 in its entirety is supported by the Provisional Application as pointed out above, and because the Provisional Application was filed prior to Long's earliest priority date, Long does not anticipate claim 37. Thus, this rejection should be withdrawn.

Dependent claims 2-4, 7-9, 11-15, 18, 19, 25, and 27-33 ultimately depend from and incorporate by reference all the features of allowable claim 1. Furthermore, each dependent claim includes additional distinguishing features. For each dependent claim, the Applicants essentially repeat the above arguments from claim 1 and apply them to each respective dependent claim. Thus, the Applicants respectfully submit that dependent claims 2-4, 7-9, 11-15, 18, 19, 25, and 27-33 are allowable at least by virtue of their dependency on an allowable parent claim and respectfully request the withdrawal of the rejection to claims 2-4, 7-9, 11-15, 18, 19, 25, and 27-33 under 35 U.S.C. § 102(e).

35 U.S.C. § 103

Claims 5 and 10 are rejected under 35 U.S.C. 35 § 103 as allegedly being unpatentable over Long in view of U.S. Patent No. 6,665,311 to Kondylis et al. (hereinafter referred to as "Kondylis").

Dependent claims 5 and 10 depend ultimately upon allowable claim 1 and incorporate by reference all of the respective features of claim 1, in addition to containing further distinguishing patentable features. The Office action cites Kondylis as allegedly teaching or disclosing features in claims 5 and 10 which are admitted as lacking by Long. However, Kondylis does not cure the deficiencies of Long as noted with respect to claims 5 and 10. The Applicants essentially repeat the above arguments from claim 1 and apply them to claims 5 and 10. As such, Kondylis, separately or in combination with Long, does not cure the deficiencies as noted as applied to claim 1. Hence, the withdrawal of the rejection of dependent claims 5 and 10 under 35 U.S.C. § 103(a) is respectfully requested.

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Allowable Subject Matter

The Office action allows claims 6, 16, 17, 20-24, 26, and 36 if rewritten in independent form.

Dependent claims 6, 16, 17, 20-24, and 26 ultimately depend upon allowable claim 1, and dependent claim 36 depends upon allowable claim 35. Dependent claims 6, 16, 17, 20-24, 26, and 36 are also allowable at least by virtue of their dependency on an allowable parent claim. Therefore, the Applicants respectfully maintain dependent claims 6, 16, 17, 20-24, 26, and 36 in their present form and respectfully submit that claims 6, 16, 17, 20-24, 26, and 36 are in condition for allowance.

Conclusion

An earnest effort has been made to be fully responsive to the Examiner's correspondence and advance the prosecution of this case. In view of the foregoing, it is respectfully submitted that all the claims pending in this patent application are in condition for allowance.

If there are any errors with respect to the fees for this response or any other papers related to this response, the Director is hereby given permission to charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account No. 14-1270.

Respectfully submitted,

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